

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2220 - HB 2272

April 21, 2022

SUMMARY OF BILL AS AMENDED (015714, 017242, 017908): Creates the *Overdose Fatality Review Act*, which creates a framework for establishing county or regional multidisciplinary overdose fatality review teams to examine and understand the circumstances that lead to a fatal overdose so that policy recommendations and resource allocations can prevent future overdoses.

Requires each local team to submit an annual de-identified report including data related to fatal overdoses and recommendations for policy changes to prevent overdoses to the Department of Health (DOH) and the county health department for the local jurisdiction. States that DOH will submit the data to the governor and both health committees of the Tennessee General Assembly (TGA).

States that a team member who shares or discusses confidential matters with the local team during a meeting is not subject to civil or criminal liability. Creates a Class B misdemeanor offense for a person who violates confidentiality provisions established in the Act.

States that information and records kept by certain agencies must be provided to the local team following a records request.

Authorizes DOH to promulgate rules to effectuate the purposes of this Act.

States that the *Act* will take effect January 1, 2023.

FISCAL IMPACT OF BILL AS AMENDED:

**Increase State Expenditures – \$38,700/FY22-23
\$77,300/FY23-24 and Subsequent Years**

**Increase Local Expenditures – \$573,200/FY22-23/Permissive
\$1,146,400/FY23-24 and Subsequent Years/Permissive**

Assumptions for the bill as amended:

- According to the proposed legislation, members who serve on review teams must serve without compensation, but may be entitled to reimbursement for travel expenses incurred in the performance of their official duties. The precise permissive increase in

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local expenditures associated with travel reimbursement is unknown but estimated to be \$10,000 per year.

- Assuming counties will group into local teams with an average of five counties, this will create 19 (95 counties / 5) local teams. Based on information provided by DOH, each local team will require an Administrative Services Assistant 3 to facilitate requirements imposed by the Act. Therefore, there will be a permissive recurring increase in local expenditures of \$1,136,390 (\$45,350 salary + \$14,460 benefits x 19 positions) in FY22-23 and subsequent years. The total permissive recurring increase in local expenditures is estimated to be \$1,146,390 (\$10,000 + \$1,136,390). Due to the effective date of January 1, 2023, the first-year (FY22-23) impact will be half of the full-year impact, or a permissive increase in local expenditures of \$573,195 (\$1,146,390 / 2).
- In order to adequately carry out the proposed legislation, DOH will require the one Program Director 2 to manage the coordination of reports. Therefore, there will be a recurring increase in state expenditures of \$77,311 (\$55,128 salary + \$16,083 benefits + \$6,100).
- Pursuant to the proposed legislation, the Act will not take effect until halfway through FY22-23. Therefore, the increase in state expenditures will be \$38,656 (\$77,311 / 2) in FY22-23, and the increase in local expenditures will be \$573,195 (\$1,146,390 / 2) in FY22-23.
- There will not be enough Class B misdemeanor convictions to result in a significant increase in revenue or expenditures as a result.
- Any increase in court proceedings as a result of the proposed legislation will be managed within existing court resources and personnel.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/cd